

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

AIMEE BEVAN, as Personal Representative
of the Estate of Desiree Gonzales, deceased,

Plaintiff,

vs.

Civ. No. 15-0073 KG/SCY

GABRIEL VALENCIA, Youth Development
Administrator, Individually, MATTHEW
EDMUNDS, Corrections Officer, Individually,
JOHN ORTEGA, Corrections Officer,
Individually, MOLLY ARCHULETA, Corrections
Nurse, Individually, and NATHAN PAUL
UNKEFER, M.D.,

Defendants.

ORDER

On August 29 and 30, 2018, the Court held a pretrial conference. Lee Hunt represented Plaintiff; Mark Komer and Steven Gonzales represented County Defendants; and Tom Mack and Jason Yamato represented Defendant Nathan Paul Unkefer, M.D. In addition to the pretrial conference, the Court held a hearing on the pending motions in limine.

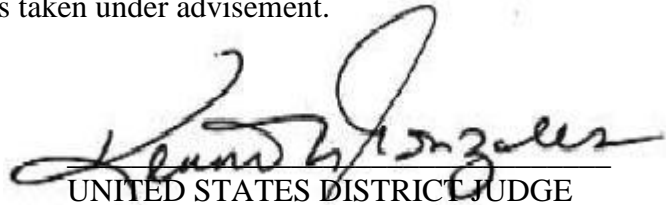
Having reviewed the motions in limine and the responses, and having heard the argument of counsel, and for the reasons stated on the record at the hearing, the Court

ORDERS that

1. Nathan Paul Unkefer, M.D.'s Motion *In Limine* to Preclude Duplicative and Cumulative Expert Witness Testimony (Doc. 257), filed July 10, 2018, is denied without prejudice to raising the motion at trial;
2. Nathan Unkefer, M.D.'S Motion *In Limine* to Bar Questions to Dr. Unkefer Regarding Learning Treatises (Doc. 259), filed July 10, 2018, is taken under advisement;

3. Nathan Unkefer, M.D.'S Motion *In Limine* Barring Questions to Dr. Unkefer Related to Subsequent Events (Doc. 260), filed July 10, 2018, is granted but Defendant Unkefer may be questioned as to his discharge instructions and expectation upon discharge;
4. Nathan Paul Unkefer M.D.'S Motion *In Limine* to Bar Testimony Interpreting Video Surveillance (Doc. 261), filed July 10, 2018, is taken under advisement;
5. St. Vincent's Motion *In Limine* to Bar Testimony Regarding Video Surveillance (Doc. 266), filed July 10, 2018, is taken under advisement;
6. County Individual's Motion *In Limine* Concerning Expert Testimony About Video Evidence (Doc. 279), filed July 13, 2018, is taken under advisement;
7. Defendant St. Vincent Hospital's Motion *In Limine* Regarding Discrete Trial Evidentiary Issues (Doc. 262), filed July 10, 2018, is taken under advisement except that it is granted as to references to the conscience of the community;
8. Defendant St. Vincent Hospital's Motion *In Limine* to Exclude References to Dr. Unkefer as an Employee Of Christus St. Vincent (Doc. 264), filed July 10, 2018, is denied as moot;
9. Defendant St. Vincent Hospital's Motion *In Limine* to Exclude Testimony Concerning Other Providers and Subsequent Admission (Doc. 267), filed July 10, 2018, is taken under advisement;
10. Plaintiff's Motion *In Limine* to Exclude Cumulative Expert Witness Testimony (Doc. 273), filed July 13, 2018, is denied without prejudice to raising the motion at trial;
11. Plaintiff's Motion *In Limine* to Exclude Evidence and Argument Regarding Desiree Gonzales's Parents' Actions After Her Death (Doc. 274), filed July 13, 2018, is taken under advisement;
12. Plaintiff's Motion *In Limine* to Exclude Identification of Beneficiaries (Doc. 281), filed July 15, 2018, is taken under advisement;
13. Plaintiff's Motion *In Limine* to Limit the Testimony of Gary M. Vilke, M.D. (Doc. 275), filed July 13, 2018, is taken under advisement;
14. Plaintiff's Motion *In Limine* to Exclude Defendant Nathan Paul Unkefer's Testimony On Cause Of Death (Doc. 276), filed July 13, 2018, is taken under advisement;
15. Plaintiff's Motion *In Limine* Regarding Defendant Santa Fe County's Expert Witness (Doc. 277), filed July 13, 2018, is withdrawn;

16. County Individual's Motion *In Limine* to Exclude Testimony of Plaintiff's Proffered Liability Experts Andrea Wiseman, Ph.D. and Michael Cohen, M.D. (Doc. 280), filed July 13, 2018, is taken under advisement;
17. Plaintiff's Motion *In Limine* to Exclude Evidence and Argument Regarding Desiree Gonzales's Alleged Sexual Abuse and CYFD Allegations (Doc. 282), filed July 15, 2018, is granted in part in that references to sexual abuse are excluded and the remainder of the motion is taken under advisement; and
18. County Individual's Motion for Clarification Concerning Cheryl Wills, M.D. (Doc. 293), filed August 1, 2018, is taken under advisement.



UNITED STATES DISTRICT JUDGE